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Lake Superior Court, Civil Division 2

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Clerk
Lake County, Indiana

STATE OF INDIANA)
) SS.
COUNTY OF LAKE) SITTING AT _____, INDIANA

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JEFFERY MACCHIA,)
)
Plaintiff)
)
v.) CAUSE NO.:
)
LANDLINE TRANS, LLC and TAMAS)
ROSENBERGER,)
)
)
Defendants.)

COMPLAINT

COUNT 1

Comes now the plaintiff, Jeffery Macchia, by their attorneys, Schafer & Schafer, LLP, Attorneys at Law, and for Count I of their Complaint against the defendants, Landline Trans, LLC and Tamas Rosenberger, allege and state:

1. That at all times relevant herein, plaintiff, Jeffery Macchia, was a resident of the Town of Merrillville, County of Lake, State of Indiana.
2. That at all times relevant herein defendant, Tamas Rosenberger, was operating a tractor trailer semi truck which was owned and maintained by defendants, Landline Trans, LLC.
3. That at all times relevant herein defendant, Tamas Rosenberger, was working within the scope and course of his employment with defendant, Landline Trans, LLC.
4. That on and prior to November 1, 2020, US 30 was a public roadway running in a generally east and west direction in the Town of Merrillville, County of Lake, State of Indiana.
5. That on and prior to November 1, 2020, Interstate 65 (I-65) was a public roadway

running in a generally north and south direction in the Town of Merrillville, County of Lake, State of Indiana.

6. That on or about November 1, 2020, plaintiff, Jeffery Macchia, was driving west US 30 in Merrillville, Indiana and entered the intersection of US 30 and I-65 off ramp on a green light. That at the same time defendant, Tamas Rosenberger, who was exiting the off ramp on I65 south, carelessly and negligently disregarded a red light and caused a collision between himself and Jeffery Macchia at the intersection of US 30 and I-65.

7. That defendant, Tamas Rosenberger, carelessly and negligently failed to control his vehicle thereby causing the aforesaid collision, and further, was guilty of one or more of the following wrongful acts or omissions:

- a. Carelessly and negligently failed to maintain a proper and sufficient lookout.
- b. Carelessly and negligently was driving too fast for the conditions.
- c. Carelessly and negligently failed to keep his motor vehicle under proper control.
- d. Carelessly and negligently failed to stop at a red light.
- e. Carelessly and negligently operated his tractor trailer semi truck so as to cause a collision with plaintiff's vehicle and serious injuries to plaintiff.
- f. Carelessly and negligently failed to inspect the truck, particularly the brakes, prior to its use.
- g. Carelessly and negligently failed to follow the Federal Motor Carrier Safety Regulations.
- h. Carelessly and negligently failed to use the care an ordinarily careful person would have used under the same or similar circumstances.

8. That defendant, Landline Trans, LLC, carelessly and negligently failed to properly maintain their tractor trailer semi truck thereby causing the aforesaid collision, and

further, was guilty of one or more of the following wrongful acts or omissions:

- a. Carelessly and negligently failed to keep its truck in proper working condition.
- b. Carelessly and negligently failed to follow the Federal Motor Carrier Safety Regulations.
- c. Carelessly and negligently failed to use the care an ordinarily careful tractor trailer semi truck company would have used under the same or similar circumstances.

9. That as a direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the defendants, plaintiff's vehicle was substantially damaged and plaintiff further lost the use of the same.

10. That as a further direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the defendants, plaintiff, Jeffery Macchia, sustained severe and permanent injuries, disfigurement, deformity, physical pain, mental suffering, is unable to function as a whole person, and has a diminished quality of life.

11. That as a further direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the defendants, plaintiff, Jeffery Macchia, suffered a fracture sternum and a hernia of his right groin, all of which require medical care and treatment, and further, has become liable for past and future medical expenses, has past and future lost wages and earning capacity, has and will be kept from attending to her ordinary affairs and duties and has and will lose great gains which he otherwise would have made and acquired.

WHEREFORE, plaintiff, Jeffery Macchia, demands judgment against the defendants, Landline Trans, LLC, and Tamas Rosenberger for such sums as are reasonable in the premises, for costs of this action and for all other just and proper relief in the premises.

Respectfully submitted,

SCHAFER & SCHAFER, LLP
ATTORNEYS AT LAW

BY: Todd S. Schafer
TODD S. SCHAFER
Atty #29474-64
Attorney for Plaintiffs

JURY DEMAND

Come now the plaintiffs, by counsel, and demand a trial by jury on issues triable by a jury.

Respectfully submitted,

SCHAFER & SCHAFER, LLP
ATTORNEYS AT LAW

BY: Todd S. Schafer
TODD S. SCHAFER